

1 [All counsel listed on signature page]
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE COLLEGE ATHLETE NIL
LITIGATION

No. 4:20-cv-03919 CW

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER STAYING
ACTION PENDING SETTLEMENT
APPROVAL**

Hon. Claudia Wilken

1 Pursuant to Northern District of California Civil Local Rule 7-12, Plaintiffs in the above-
2 captioned action and Defendants National Collegiate Athletic Association (“NCAA”), Pac-12
3 Conference (“Pac-12”), Big Ten Conference, Inc. (“Big Ten”), Big 12 Conference, Inc. (“Big 12”),
4 Southeastern Conference (“SEC”), and Atlantic Coast Conference (“ACC”) (collectively,
5 “Defendants”) (Plaintiffs and each Defendant is referred to herein as a “Party” and all Defendants
6 together with Plaintiffs, the “Parties”), by and through their respective undersigned counsel of
7 record, submit the following Stipulation and Proposed Order:

8 WHEREAS, the Parties have agreed to the principal terms on which the Parties will settle *In*
9 *re College Athlete NIL Litigation*, Case No. 4:20-cv-03919 CW (N.D. Cal.), *Hubbard et al. v.*
10 *National Collegiate Athletic Association et al.*, Case No. 23-cv-01593 (N.D. Cal.), and *Carter et al.*
11 *v. National Collegiate Athletic Association et al.*, Case No. 3:23-cv-06325-RS (N.D. Cal.);

12 WHEREAS, the terms of the settlement were jointly agreed to after arms-length negotiations;

13 WHEREAS, the Parties are working expeditiously and in good faith to finalize the long-form
14 settlement agreement, and anticipate that a motion for preliminary approval of the settlement will be
15 filed on or before thirty (30) days from the date of this stipulation, but in any event no later than
16 forty-five (45) days from the date of this stipulation;

17 WHEREAS, in furtherance of the settlement, and to conserve judicial and party resources, the
18 Parties agree, and request that the Court stay all deadlines and proceedings pending filing of the
19 settlement and motion for preliminary approval.

20 THEREFORE, IT IS STIPULATED AND AGREED, SUBJECT TO COURT APPROVAL,
21 THAT:

22 1. All deadlines are hereby STAYED pending the Court’s ruling on Plaintiffs’ motion to
23 preliminarily approve the settlement between Plaintiffs and Defendants pursuant to Rule 23 of the
24 Federal Rules of Civil Procedure.

25 2. If the Court grants preliminary approval, the case shall remain stayed pending final
26 approval of the settlement.

1 3. If the Court does not grant preliminary approval, the Parties shall promptly negotiate
2 in good faith regarding a new schedule to be submitted for Court approval.

4 Dated: May 30, 2024

Respectfully submitted,

5 **HAGENS BERMAN SOBOL SHAPIRO
6 LLP**

7 By: /s/ Steve W. Berman
8 Steve W. Berman (*pro hac vice*)
9 Emilee N. Sisco (*pro hac vice*)
Stephanie Verdoia (*pro hac vice*)
10 1301 Second Avenue, Suite 2000
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com
emilee@hbsslaw.com
stephaniev@hbsslaw.com

11 Benjamin J. Siegel (SBN 256260)
12 715 Hearst Avenue, Suite 300
Berkeley, CA 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
bens@hbsslaw.com

13 Jeffrey L. Kodroff
14 SPECTOR ROSEMAN & KODROFF PC
Two Commerce Square
15 2001 Market Street, Suite 3420
Philadelphia, PA 19103
Telephone: (215) 496 0300
Facsimile: (215) 496 6611
jkodroff@srkattorneys.com

16 *Counsel for Plaintiffs and the Proposed Classes*

17 **WILKINSON STEKLOFF LLP**

18 By: /s/ Rakesh N. Kilaru
19 Beth A. Wilkinson (*pro hac vice*)
Rakesh N. Kilaru (*pro hac vice*)

20 **WINSTON & STRAWN LLP**

21 By: /s/ Jeffrey L. Kessler
Jeffrey L. Kessler (*pro hac vice*)
David G. Feher (*pro hac vice*)
David L. Greenspan (*pro hac vice*)
Adam I. Dale (*pro hac vice*)
200 Park Avenue
New York, NY 10166-4193
Telephone: (212) 294-4698
Facsimile: (212) 294-4700
jkessler@winston.com
dfeher@winston.com
dggreenspan@winston.com
aidale@winston.com

22 Jeanifer E. Parsigian (SBN 289001)
101 California Street, 34th Floor
San Francisco, CA 94111
Telephone: (415) 591-1000
Facsimile: (415) 591-1400
jparsigian@winston.com

23 *Counsel for Plaintiffs and the Proposed Classes*

24 **LATHAM & WATKINS LLP**

25 By: /s/ Christopher S. Yates
Christopher S. Yates (SBN 161273)
Aaron T. Chiu (SBN 287788)

1 Kieran Gostin (*pro hac vice*)
2 Calanthe Arat (SBN 349086)
3 Tamara Matthews Johnson (*pro hac vice*)
4 Matthew R. Skanchy (*pro hac vice*)
5 2001 M Street NW, 10th Floor
6 Washington, DC 20036
7 Telephone: (202) 847-4000
8 Facsimile: (202) 847-4005
9 bwilkinson@wilkinsonstekloff.com
10 rkilaru@wilkinsonstekloff.com
11 kgostin@wilkinsonstekloff.com
12 carat@wilkinsonstekloff.com
13 tmatthewsjohnson@wilkinsonstekloff.com
14 mskanchy@wilkinsonstekloff.com

15 Jacob K. Danziger (SBN 278219)
16 ARENTFOX SCHIFF LLP
17 44 Montgomery Street, 38th Floor
18 San Francisco, CA 94104
19 Telephone: (734) 222-1516
20 Facsimile: (415) 757-5501
21 jacob.danziger@afslaw.com

22 *Counsel for Defendant National Collegiate
23 Athletic Association*

24 505 Montgomery Street, Suite 2000
25 San Francisco, CA 94111
26 Telephone: (415) 391-0600
27 Facsimile: (415) 395-8095
28 chris.yates@lw.com
aaron.chiu@lw.com

29 Anna M. Rathbun (SBN 273787)
30 555 Eleventh Street, NW, Suite 1000
31 Washington, DC 20004
32 Telephone: (202) 637-1061
33 Facsimile: (202) 637-2201
34 anna.rathbun@lw.com

FOX ROTHSCHILD LLP

36 By: /s/ D. Erik Albright
37 D. Erik Albright (*pro hac vice*)
38 Jonathan P. Heyl (*pro hac vice*)
39 Gregory G. Holland (*pro hac vice*)
40 230 North Elm Street, Suite 1200
41 Greensboro, NC 27401
42 Telephone: (336) 378-5368
43 Facsimile: (336) 378-5400
44 ealbright@foxrothschild.com
45 jheyel@foxrothschild.com
46 gholland@foxrothschild.com

47 *Counsel for Defendant Atlantic Coast
48 Conference*

MAYER BROWN LLP

49 By: /s/ Britt M. Miller
50 Britt M. Miller (*pro hac vice*)
51 Daniel T. Fenske (*pro hac vice*)
52 71 South Wacker Drive
53 Chicago, IL 60606
54 Telephone: (312) 782-0600
55 Facsimile: (312) 701-7711
56 bmiller@mayerbrown.com
57 dfenske@mayerbrown.com

58 Christopher J. Kelly (SBN 276312)
59 Two Palo Alto Square, Suite 300

COOLEY LLP

60 By: /s/ Whitty Somvichian
61 Whitty Somvichian (SBN 194463)
62 Kathleen R. Hartnett (SBN 314267)
63 Ashley Kemper Corkery (SBN 301380)
64 3 Embarcadero Center, 20th Floor
65 San Francisco, California 94111-4004
66 Telephone: (415) 693 2000
67 Facsimile: (415) 693 2222
68 wsomvichian@cooley.com
69 khartnett@cooley.com
70 acorkery@cooley.com

1 3000 El Camino Real
2 Palo Alto, CA 94306
3 Telephone: (650) 331-2000
4 Facsimile: (650) 331-2060
5 cjkelly@mayerbrown.com

6
7
8
9
10 *Counsel for Defendant The Big Ten
11 Conference, Inc.*

12 Mark Lambert (SBN 197410)
13 3175 Hanover Street
14 Palo Alto, CA 94304-1130
15 Telephone: (650) 843-5000
16 Facsimile: (650) 849-7400
17 mlambert@cooley.com

18 Dee Bansal (*pro hac vice*)
19 1299 Pennsylvania Ave. NW, Suite 700
20 Washington, DC 20004-2400
21 Telephone: (202) 842 7800
22 Facsimile: (202) 842 7899
23 dbansal@cooley.com

24 *Counsel for Defendant Pac-12 Conference*

25 **SIDLEY AUSTIN LLP**

26 By: /s/ Angela C. Zambrano
27 Angela C. Zambrano (*pro hac vice*)
28 Natali Wyson (*pro hac vice*)
1 Chelsea A. Priest (*pro hac vice*)
2 2021 McKinney Avenue, Suite 2000
3 Dallas, TX 75201
4 Telephone: (214) 969-3529
5 Facsimile: (214) 969-3558
6 angela.zambrano@sidley.com
7 nwyson@sidley.com
8 cpriest@sidley.com

9
10 David L. Anderson (SBN 149604)
11 555 California Street, Suite 2000
12 San Francisco, CA 94104
13 Telephone: (415) 772-1200
14 Facsimile: (415) 772-7412
15 dlanderson@sidley.com

16 *Counsel for Defendant The Big 12
17 Conference, Inc.*

18 By: /s/ Robert W. Fuller
19 Robert W. Fuller, III (*pro hac vice*)
20 Lawrence C. Moore, III (*pro hac vice*)
21 Amanda P. Nitto (*pro hac vice*)
22 Travis S. Hinman (*pro hac vice*)
23 Patrick Hill (*pro hac vice*)
24 101 N. Tryon Street, Suite 1900
25 Charlotte, NC 28246
26 Telephone: (704) 377-2536
27 Facsimile: (704) 378-4000
28 rfuller@robinsonbradshaw.com
lmoore@robinsonbradshaw.com
anitto@robinsonbradshaw.com
thinman@robinsonbradshaw.com
phill@robinsonbradshaw.com

1 Mark J. Seifert (SBN 217054)
2 SEIFERT ZUROMSKI LLP
3 One Market Street, 36th Floor
4 San Francisco, CA 94105
5 Telephone: (415) 999-0901
6 Facsimile: (415) 901-1123
7 mseifert@SZLLP.com

8
9
10 *Counsel for Defendant Southeastern
11 Conference*

1
2 **E-FILING ATTESTATION**
3
4 I, Steve W. Berman, am the ECF User whose ID and password are being used to file this
5 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories
6 identified above has concurred in this filing.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/ *Steve. W. Berman*
STEVE W. BERMAN (*pro hac vice*)

1 **[PROPOSED] ORDER**
2

PURSUANT TO STIPULATION, IT IS SO ORDERED.

3 
4

5 5/30/2024
6

7

8 THE HONORABLE CLAUDIA WILKEN
9 United States District Court Judge
10

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28